GOVERNMENT OF ANDHRA PRADESH
ABSTARCT

Public Services – Allegations for not initiation of action for the prevention of deviations and violations from the sanctioned plan and failed to conduct mandatory inspections - Disciplinary action initiated against Sri P.Brahmaji, the then Town Planning Building Overseer (retired), GVMC., Visakhapatnam - Inquiry conducted - Imposing a penalty of withholding of 5% cut in pension for a period of 5 years on Sri P.Brahmaji, the then Town Planning Building Overseer (retired),GVMC., Visakhapatnam - Orders -Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No:887 **Dated:14.12.2023**

Read the following:-

1. From the D.G., G.A. (V&E) Department, Vigilance Report No.122 (C.No.1855/V&E/D1/2005), dated.08.08.2005.
2. G.O.Rt.No.1473, MA&UD (E) Department, dated.12.12.2007.
3. G.O.Rt.No.1514 MA&UD (E1) Department, dated.30.10.2008.
4. Govt.Memo.No.18014/E1/2005, dated.30.10.2008.
5. Inquiry Report from the Inquiry Officer Sri G.V.Raghu, Chief City Planner, GHMC., Hyderabad, Letter, dated.30.06.2010.
6. Govt.Memo.No.18014/E1/2005, dated.30.10.2010.
7. Written Representation of Sri P.Brahmaji, the then TPBO (retired), GVMC., Visakhapatnam, dated. Nil received through the DTCP., A.P., Guntur, Lr.Roc.No.8752/2005/V.Cell, dated.14.12.2020.
8. Govt.Memo.No.18014/E1/2005, dated.17.08.2021.
9. From the DTCP Lr.ROC.No.8752/2005/V.cell, dt:18.04.2023.
10. Written Explanation of Sri P.Brahmaji, the then TPBO (retired), GVMC., Visakhapatnam, dated:09.08.2023.
11. Govt. letter No. 18014/Vig.I/2005, Dated:25.08.2023
12. From the Secy, APPSC Lr.No.GAD03-APPS0DCC/89/2023 –DC-SEC- APPSC (Computer No.2203505), Dated:14/11/2023.

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ORDER:

In the reference 1st read above, the G.A. (V&E) Department submitted a report and recommended to initiate disciplinary action against Sri P.Brahmaji, I/c. TPBO., GVMC., Visakhapatnam and another for allowing unauthorized construction without approval in violation of building regulations in Municipal Corporation of Visakhapatnam and initiated departmental action by issuing Articles of Charges against Sri P.Brahmaji, I/c. TPBO., GVMC., Visakhapatnam in the reference 2nd read above.

2. Government after following due procedure, decided to conduct regular inquiry and issued orders vide reference 3rd read above, appointing Sri G.V.Raghu, City Planner, GVMC., Visakhapatnam, as an Inquiry Officer to inquire into the charges framed against Sri P.Brahmaji, I/c. TPBO (now retired). In the

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reference 4th read above, Sri A.Narayana Raju, RDDTP., Rajahmundry was appointed as Presenting Officer, to present the case before the Inquiry Officer on behalf of the Disciplinary Authority.

3. In the reference 5th read above, **Sri G.V.Raghu, Chief City Planner, GHMC., Hyderabad** submitted his inquiry report and among others, he has stated that, all the six (6) charges framed against Sri P.Brahmaji, I/c. TPBO are not held proved in the inquiry and requested to take necessary further action in the matter

4. Government examined the inquiry report and disagreed with the findings of the inquiry officer holding that all the charges framed against him treated as "proved". Accordingly, in the reference 6th read above, while communicating a copy of inquiry report along with disagreement factors under Rule 21 (2) of APCS (CC&A) Rules, 1991, the charged officer Sri P Brahmaji, I/c. TPBO, GVMC.. Visakhapatnam was directed to submit his written representation.

5. In the reference 7th read above, Sri P.Brahmaji, the then TPBO (retired), GVMC., Visakhapatnam has submitted his written explanation duly denying the disagreement factors and requested to consider his explanation and the findings of the Inquiry Authority and to drop the charges and further action against him.

6. Government have examined the representation of Charged Officer and observed that there is a truth it is collective responsibility in functioning of the Government business and cannot throw the responsibility on others and also cannot escape from the responsibility. Hence, it has been provisionally decided to impose a penalty of "withholding of 5% cut in pension for a period of five (5) years on Sri P.Brahmaji, the then Town Planning Building Overseer (retired), GVMC., Visakhapatnam, under Rule-9 of A.P Revised Pension Rules, 1980 and issued a show cause notice, calling for his explanation as to why the said penalty cannot be imposed against him under Rule-9 of A.P. Revised Pension Rules, 1980, vide reference 8th read above.

7. In the reference 10th cited, Sri P.Brahmaji, the then TPBO (retired), GVMC.. Visakhapatnam has submitted his written explanation to the Show Cause Notice, stating that the Government have issued guidelines from time to time for regularization of unauthorized construction and by this time the deviation might have been regularized and no financial loss caused to the GVMC and requested to reconsider the matter on humanitarian grounds and drop further action.

8. Government after careful examination of the inquiry report and the written representation of the Charged Officer and after following due procedure, it has been provisionally decided to impose a penalty of "withholding of 5% cut in pension for a period of five (5) years" on Sri P.Brahmaji, the then Town Planning Building Overseer (retired), GVMC., Visakhapatnam, since the explanation is not convincing. Accordingly, the Secretary, APPSC was requested to obtain and communicate the concurrence of the APPSC to the Government to impose a penalty of "**withholding of 5% cut in pension for a period of five (5) years**" on Sri P.Brahmaji, the then Town Planning Building Overseer (retired), GVMC., Visakhapatnam vide reference 11th read above.

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9. In the reference 12th read above, the Secretary, APPSC has informed that the Commission agreed with the proposal of the Government to impose a punishment of "withholding of 5% cut in pension for a period of 5 years on Sri P.Brahmaji, the then Town Planning Building Overseer (retired), GVMC., Visakhapatnam.

10. Accordingly, the Government hereby order to impose a punishment of "withholding of 5% cut in pension for a period of 5 years on Sri P. Brahmaji, the then Town Planning Building Overseer (retired), GVMC., Visakhapatnam.

11. The Director of Town & Country Planning, A.P., Guntur., shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.Brahmaji, the then Town Planning Building Overseer (retired),
GVMC., Visakhapatnam - **through** the DTCP., A.P., Guntur.
The Director of Town & Country Planning, A.P., Guntur.
Copy to:
The Commissioner, GVMC, Visakhapatnam.
The Secretary, APVC, 5th Building, A.P. Secretariat
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER